

#### REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 7 and 8 have been amended for clarity.

The Examiner has rejected claims 7-9 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0015803 to Macrae et al. in view of U.S. Patent Application Publication No. 2002/0083210 to Harrison et al. Applicants acknowledge that the Examiner has allowed claims 1-6 and 10.

The Macrae et al. publication discloses systems and methods for providing real-time services in an interactive television program guide application.

The Harrison et al. publication discloses message parsing in message processing systems.

Claim 7 claims "A device for reading information from a non-transitory record carrier for rendering an enhanced user program, said device comprising:

reading means for reading marks representing digitally encoded real-time information, including video information, encoded according to a predefined recording format; and

control means for providing to a user at least one interactive application based on at least one subset of application data objects while rendering the real-time information, said control means retrieving application control information from a message info file having been stored on said record carrier

separate from the real-time information, and retrieving messages comprising a message header providing information about a respective message from a series of messages for the enhanced user program from a message file, the application control information including accessing information based upon the information about the respective message provided in the message header, said control means accessing messages in the series of messages in the message file, and retrieving the messages from the series of messages from the message file based on the accessing information included in the application control information, the messages containing the application data objects, and the message file having been stored on said record carrier separate from the real-time information."

The Examiner has indicated that Macrae et al. discloses "control means for providing to a user at least one interactive application based on at least one subset of application data objects while rendering the real-time information, said control means retrieving application control information from a message info file (fig 3, 58, para 0059, fig 4, 70, para 0068 and fig 6, 104, para 0081 illustrate inputs for real-time information and interactive application and abstract illustrates user interaction)."

Applicants submit that while Macrae et al. discloses a system that may receive an interactive television program guide and discloses a recording device (e.g., 62 of Fig. 3), the only disclosure with regard to the recording device is that programs identified in the interactive television program guide may be

recorded by the recording device. There is no disclosure or suggestion in Macrae et al. that the recording device includes a non-transitory record carrier containing real-time information (e.g., the video program) as well as a message file and a message info file which are read by the Macrae et al. system to provide the interaction application, contemporaneously with the rendering of the real-time information.

The Examiner now states "However Macrae et al does not disclose retrieving messages from a message file based on accessing information included in the application control information, the messages containing the application data objects, and the message file having been stored separate from the real-time information. On the other hand Harrison et al teaches retrieving messages from a message file based on accessing information included in the application control information, (abstract, paras 0006, 0008, 0009 and 0028) the messages containing the application data objects, and the message file having been stored separate from the real-time information (abstract, paras 0006, 0009, 0010 and 0013) (see argument above)".

Applicants submit that Harrison et al. teaches the parsing of a stream of information in order to retrieve packets from particular positions in the information stream. The message info file and the message file of the subject invention are the stored results of a parsing operation. However, Harrison et al. does not disclose or suggest accessing messages in a message file based on information in a message info file. As such, one skilled in the art

would not look to Harrison et al. in order to obtain information for reading messages in a message file based on information in a message info file.

Claim 8 claims a non-transitory record carrier containing real-time information and a message file and a message info file, both separate from the real-time information.

While Macrae et al. discloses a recording device arguably having a non-transitory record carrier on which real-time information may be recorded, there is no disclosure or suggestion that a message file and a message info file should also be stored on the non-transitory record carrier separate from the real-time information, and that the system should activate an interactive application from the message file and the message info file while the real-time information is being rendered.

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-10, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by           /Edward W. Goodman/            
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